



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)

(Implements RCW 34.05.310)

Do NOT use for expedited rule making

Agency: Agriculture

Subject of possible rule making: The Washington State Department of Agriculture's Fruit and Vegetable Inspection Program is proposing to amend chapter 16-390 WAC (WSDA Fruit and Vegetable Inspection Districts, Inspection Fees and Other Charges). The proposed amendments will increase the following fees in excess of the Office of Financial Management fiscal growth rate factor:

- All cwt. fees
- The minimum charge for a certificate of compliance (WAC 16-390-150(4)(a))
- The field or orchard per acre inspection fee (WAC 16-390-220(1))

The department is also proposing a volume discount for apples and pears that are inspected and certified on-line for domestic shipment, controlled atmosphere certification, etc.

Note: The department's current hourly rates (regular and overtime), phytosanitary certification, minimum certification and Customer Assisted Inspection Program (CAIP) fees will not change.

Statutes authorizing the agency to adopt rules on this subject: Chapter 15.17 Standards of Grades and Packs, Chapter 34.05 Administrative Procedure Act and Chapter 25, Laws of 2003, 2003 1st Special Session 309, Subsection (2).

Reasons why rules on this subject may be needed and what they might accomplish: The Fruit and Vegetable Inspection Program is supported entirely by fees generated by the services it provides. RCW 15.17.150 gives the WSDA director the authority to adopt rules establishing fees necessary "to recover the costs of providing inspection and/or certification or other requested services." The proposed fee increases are necessary to offset the increases in the Fruit and Vegetable Inspection Program operating expenses caused by inflation.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:
None

Process for developing new rule (check all that apply):

- ☐ Negotiated rule making
☐ Pilot rule making
☐ Agency study
☒ Other (describe) The Fruit and Vegetable Program staff is developing the proposed fee amendments based upon program needs and recommendations from the Fruit and Vegetable Advisory Committee.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

You may contact the Fruit and Vegetable Program Manager. Also, you may submit comments during the public comment period and participate in the public hearing process.

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DATE
February 2, 2005

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FEB 1 2005

TIME 3:34
WSR 05-04-077

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